

COMMONWEALTH OF KENTUCKY
KENTUCKY STATE POLICE
919 VERSAILLES Road
FRANKFORT 40601

PAUL E. PATTON
GOVERNOR

MEMORANDUM

ISHMON F. BURKS
COMMISSIONER

TO: Governor Paul E. Patton
Governor's Office

THRU: Secretary Robert F. Stephens
Justice Cabinet

FROM: Commissioner Ishmon F. Burks
Kentucky State Police

DATE: August 3, 2001

SUBJECT: OxyContin Task Force Recommendations

The OxyContin Task Force recommendations are submitted for your review, comment and approval.

*The purpose of the Task Force is to provide a plan of action --
that through enforcement, education, legislation and treatment --
will eliminate the illegal use of OxyContin.*

The Task Force used the 1997 Attorney General's Prescription Drug Task Force Report as a base document from which to construct a follow-up strategy; the OxyContin plan of action is limited to recommendations that are both achievable and manageable in the near term.

The new 2001 initiatives that deserve special attention are:

- A commitment to develop education and awareness campaigns.
- The requirements for more manpower and K.A.S.P.E.R. systems upgrades.
- And, the Kentucky State Police realignment of resources to focus on the growing prescription drug threat.

Finally, the OxyContin Task Force is to be commended for their diligence and time. Major Bill Stewart warrants special recognition for his superb management of this project.



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INTRODUCTION

During the summer of 2000, law enforcement officials in Eastern Kentucky began to see an increase in problems associated with the abuse of a new prescription drug, OxyContin. By the fall of 2000, abuse of this drug had grown to epidemic proportions. OxyContin had become the number one drug of choice, surpassing marijuana and cocaine.

In November of 2000, federal, state and local law enforcement agencies joined together in an attempt to control the outbreak of OxyContin abuse through enforcement efforts.

On February 6, 2001, over 200 individuals were arrested in Eastern Kentucky for trafficking in the prescription drug, OxyContin. The operation was termed "Oxyfest 2001". The arrest of that many individuals in a defined region of the state, all trafficking in the same controlled substance, which is a legal prescription drug, brought the magnitude of not only the abuse of OxyContin, but also the abuse of all prescription drugs to the forefront.

Oxyfest 2001 and the rising number of deaths associated with the abuse of OxyContin prompted Governor Paul Patton to call for the formation of a task force lead by the Kentucky State Police. The task force was formed immediately with Kentucky State Police Commissioner, Ishmon F. Burks, being appointed as chairman. Membership included legislators, health care professionals, prosecutors and many other stakeholders.

The task force held its first meeting on March 14, 2001. The main focus was to allow members of the task force to address situations and concerns unique to their profession or specialty. Among the topics discussed were the abuse of all prescription drugs, not just OxyContin, proposed legislation, The Kentucky All Schedule Prescription Electronic Reporting System (K.A.S.P.E.R.), education and treatment issues.

The task force met for the second time on April 18, 2001. The task force was divided into subcommittees in order to coordinate the efforts of the many different investigative agencies, professional groups and individual members. The members were assigned to a particular group according to their expertise and interest. The groups were allowed to break-out and work on their own to identify specific problems, make recommendations and submit a plan of action according to their areas of interest.

The problems identified, the recommendations and the plans of action, submitted by each subcommittee, deemed achievable at the present time, have been organized into four specific areas: education/awareness, enforcement/lawiciation,

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OxyContin Task Force Members

1. Kentucky State Police

Ishmon F. Burks, Commissioner

Lieutenant **Tim Lucas**, Driver Testing

Detective **Tom Underwood**, DE/SI East

2. Kentucky Cabinet for Health Services

Dr. Rice Leach, Commissioner, Department for Public Health

Danna Droz, Branch Manager, Drug Control Unit

Mike Townsend, Director, Substance Abuse

3. Kentucky Attorney General

Jean Ann Myatt, Policy Analyst

Jay Vedelli, Investigations Branch Manager, Medicaid Fraud and Abuse Control Unit

Mike Duncan, Director, Special Investigations Division

4. Kentucky Board of Medical Licensure

Dr. Danny Clark, President

5. Lexington Metro Police Department

Detective **Lynn Thompson**, Narcotics

6. Jefferson County Police Department

Sergeant **Kenny Bell**, Narcotics

7. Kentucky Prosecutors Association

Honorable **George Moore**, President

8. U. S. Attorney Eastern District of Kentucky

Honorable **Joseph Famularo**, U.S. Attorney

9. Appalachia H. I. D. T. A.
Honorable Roger West, Assistant U.S. Attorney
10. Federal Drug Enforcement Administration
Gary Oetjen, Special Agent
Mark Caverly, Diversion Investigator
11. Kentucky Board of Pharmacy
Michael Moné, Executive Director
12. Kentucky General Assembly
Senator Robert Stivers
Senator Daniel Mongiardo
Representative Robin Webb
Representative Jeffrey Hoover
Representative Jack Coleman, Jr.
13. Dr. C. Milton Young III – Louisville
14. Kentucky Pharmacy Association
Mike Mays
Ron Judy
15. Governor's Office
Larry Carrico, Champions for a Drug Free Kentucky
16. Department of Fish and Wildlife
Captain Chuck Schneider, Youth Education Program
17. Dr. Douglas Kennedy, Pain Medicine and Rehabilitation Services
18. Dr. Donald Douglas, Advanced Pain Medicine, Saint Joseph Hospital
19. Dr. J. David Haddox, Senior Director, Purdue Pharma

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SUMMARY

Since the formation of the task force, there have been several developments in the effort to control prescription drug abuse. The following developments are a direct result of the publicity and awareness created by the task force and Oxyfest 2001.

- The state medical examiners office has started a database that will contain pertinent information on all drug-related deaths in the future and dating back to January 1, 2000. This information is now readily available to authorized individuals.
- Representatives from Purdue Pharma have joined the task force and have committed time and money for education on diversion aspects.
- Purdue Pharma discontinued the manufacture of the 160 milligram OxyContin tablet because of its potential for overdose.
- Purdue Pharma has marked each OxyContin tablet that is being exported to Mexico and Canada, which will allow law enforcement officials to immediately recognize if they have been smuggled into the United States.
- Purdue Pharma has discontinued exporting 40 milligram and 80 milligram tablets to Mexico because of the fraud and abuse associated with these doses.
- *Kentucky was recognized at the International Chiefs of Police Conference in Washington, D.C. in March 2001 for its initiatives against OxyContin abuse.*
- *Kentucky was recognized at the National Association of Attorney's General meeting in Washington, D.C. in May 2001 for having a model reporting system, K.A.S.P.E.R.*
- *The Kentucky State Police have already started to partner with officers in other states to share information and develop strategies to prevent Kentucky residents from entering other states to obtain prescription drugs by fraud and bring them back into Kentucky to distribute.*
- The Kentucky State Police became aware of and initiated investigations into prescription drug fraud involving the use of computers. The Kentucky State Police also have a full time computer crime unit to continue these types of investigations.

Not discounting the specific achievements above, the formation alone of the Governor's OxyContin Prescription Drug Task Force has been a success by establishing new networks across many professions and by generating an awareness of the problems involving prescription drug abuse.